

U.S. Department of Justice

United States Attorney
Southern District of New YorkThe Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

September 9, 2008

BY FACSIMILE

Honorable Barbara S. Jones
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: United States v. Albert Rivera,
07 Cr. 912 (BSJ)

Dear Judge Jones:

A pre-trial conference was set in the above-referenced case for today but defense counsel was unable to attend because of a mix up with the dates. Based on my conversation with Ms. Fink today, I understand that she needs additional time to review the file and to meet with the defendant.

Accordingly, the Government respectfully requests that a new pre-trial conference date be set in approximately 30 days, and that time be excluded from speedy trial calculations until that time in order to allow Ms. Fink time to review the file and discuss it with the defendant. Ms. Fink has no objection to the exclusion.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By: Marissa Molé
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Assistant United States Attorney
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cc: Elizabeth Fink, Esq.

USDC SDNY
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Applications granted.
Conference will be held
on 9/16/08 at 9:30 A.M.
in Courtroom 9A. For the
reasons stated above, time is
excluded from 9/9/08 - 9/16/08.

9/10/08

So ordered.

Barbara S. [Signature] TOTAL P. 2/25